



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN 11, TEXAS**

**JOHN BEN SHEPPERD  
ATTORNEY GENERAL**

June 5, 1953

Hon. Allan Shivers  
Governor of Texas  
Austin, Texas

Letter Opinion No. MS-52

Re: Validity of House Bill 860  
of the 53rd Legislature.

Dear Governor:

You have requested an opinion on the validity of House Bill 860 amending Section 1 of Chapter 297, Acts of the 52nd Legislature, 1951, as amended by House Bill 60, Acts of the 53rd Legislature, 1953, by eliminating Wood County from its provisions.

Section 35 of Article III of the Constitution of Texas provides:

"No bill, (except general appropriation bills, which may embrace the various subjects and accounts, for and on account of which moneys are appropriated) shall contain more than one subject, which shall be expressed in its title. But if any subject shall be embraced in an act, which shall not be expressed in the title, such act shall be void only as to so much thereof, as shall not be so expressed."  
(Emphasis added)

Section 1 of House Bill 860 purports to amend Chapter 297, Acts of the 52nd Legislature, 1951, as amended. However, the caption only authorized an amendment to Section 1. Therefore Sections 2 and 3 of Chapter 297, Acts of the 52nd Legislature, remain unaltered and only Section 1 is amended by House Bill 860. In our opinion this bill is valid.

Yours very truly,

JOHN BEN SHEPPERD  
Attorney General

By  
J. C. Davis, Jr.  
Assistant

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